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08/663,272

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTY. DOCKET NO.
08/663,272	11/25/96	HARRISON	L 10308

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SCULLY SCOTT MURPHY & PRESSER
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EXAMINER	
VANDER VEGT, F	
ART UNIT	PAPER NUMBER
1644	12

DATE MAILED: 10/27/98

Please find below and/or attached an Office communication concerning the above identified application.

Commissioner of Patents and Trademarks

1. The reply filed on August 7, 1998 is not fully responsive to the prior Office action because of the following omission(s) or matter(s).

Regarding claim 1 in the amendment filed August 7, 1998, said claim has amended a claim that was not previously under consideration in the instant application. Claim 1, as originally filed read: "...wherein: X_1 and X_3 may be the same or different and each is an amino acid sequence comprising from 0 to 40 naturally or non-naturally occurring amino acid residues; X_2 is any amino acid sequence of from 10 to 100 residues derived from..." while newly submitted claim 1 reads: "wherein: X_2 is any amino acid sequence of from 10 to [100] 50 residues derived from... wherein when X_1 or X_2 [sic] comprise naturally occurring amino acid residues" for example.

Section 714.22 of the M.P.E.P. (Rev. 3, July 1997; pages 700-130 to 700-131) clearly specifies the correct protocols for use in amending claim language in a pending claim. According to amended claim 1 in the amendment filed August 7, 1998, various phrases were present in claim 1 prior to amendment that *were not actually recited in pending claim 1* and various phrases which actually present in pending claim 1 as originally presented *were summarily ignored in the amendment filed August 7, 1998*. Claim 1 as amended is informal.

In the interest of the most efficient progression of prosecution in this application, it is respectfully suggested that claim 1 be canceled in response to this letter and replaced with a corresponding new claim consecutively numbered with the pending claims in this application. Applicant should further point out specific support (page, line number) for all changes to the limitations of the claim.

Since the above-mentioned reply appears to be *bona fide*, applicant is given ONE (1)

MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.
EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

1. Papers related to this application may be submitted to Technology Center 1600, Group 1640 by facsimile transmission. Papers should be faxed to Group 1640 via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The fax phone number for official documents to be entered into the record for Art Unit 1644 is (703)305-3014.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Pierre VanderVegt, whose telephone number is (703)305-6997. The examiner can normally be reached Monday through Friday from 8:00 am to 4:30 pm ET. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Christina Chan can be reached at (703)308-3973. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1600 receptionist, whose telephone number is (703)308-0196.

October 26, 1998
F. Pierre VanderVegt, Ph.D.
Patent Examiner
Art Unit 1644

David A. Saunders

DAVID SAUNDERS
PRIMARY EXAMINER
ART UNIT ~~182~~ 1644